



The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate public notice of such meeting.

**TENNESSEE DEPARTMENT OF HEALTH
MEMORANDUM
AMENDED**

Date: October 3, 2017

To: Woody McMillin, Director of Communication and Media Relations

From: Wanda E. Hines, Board Administrator

Name of Board or Committee: Board for Licensing Health Care Facilities Board Meeting
(Call-in Number: 1-888-757-2790 passcode: 152602#)

Date of Meeting: October 4, 2017

Time: 9:00 a.m., CDT

Place: Iris Conference Room
665 Mainstream Drive, First Floor
Nashville, TN 37243

Major Item(s) on Agenda: See attachment.

LINK TO LIVE VIDEO STREAM:

October 4, 2017

<https://web.nowuseeit.tn.gov/Mediasite/Play/5b7a4051b9d74c669928e786e16971a81d>

This memo shall be forwarded from individual programs to the Public Information Office on the 15th day of the preceding month. The Public Information Office will prepare the monthly list of meetings within the Department and have ready for distribution to state media by the 28th day of the preceding month.

PH-1850 (Rev. 3/79)

RDA N/A

JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND
IMPROVE THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

BOARD FOR LICENSING HEALTH CARE FACILITIES

OCTOBER 4, 2017

IRIS CONFERENCE ROOM, FIRST FLOOR

**PLEASE REMEMBER TO SILENCE YOUR ELECTRONIC DEVICES
WHEN THE BOARD IS IN SESSION**

1. **WELCOME NEW BOARD MEMBERS:** Dr. Lisa Piercey, Hospital Administrator Representative replacing Mr. John Marshall.
2. **CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
3. **CONTESTED CASE HEARING(S).**
4. **REPORTS.**
 - A. **EMS REPORT** - Robert Seesholtz
 - B. **NURSE AIDE REPORT** – Wanda King
 - C. **OFFICE OF GENERAL COUNSEL REPORT** – Caroline Tippens
 - D. **HEALTH CARE FACILITIES REPORT** – Vincent Davis
5. **BOARD APPROVAL FOR THE FOLLOWING INTERPRETATIVE GUIDELINES**
 - A. 1200-08-30 Standards for Pediatric Emergency Care Facilities – Table 1: Part 2 Equipment

6. LICENSE STATUS REQUESTS.

PLEASANT VIEW HEALTH CARE CENTER, BOLIVAR

This sixty-seven (67) bed skilled nursing home facility is seeking to place their license on inactive status effective July 20, 2017. Care Centers Management Consulting will be closing on the purchase of this facility on September 1, 2017 and is planning to build a replacement facility in Bolivar.

REPRESENTATIVE(S): Hannah Cole, Attorney

TENNOVA HEALTHCARE HOSPICE IN-PATIENT HOSPICE HOUSE, KNOXVILLE

This eighteen (18) bed residential hospice facility is seeking to place their license on inactive status effective June 15, 2017 pending a successful transaction completion. The Knoxville community has interest in keeping the facility open and operational through a non-profit organization.

REPRESENTATIVE(S): Kim Harvey Looney, Attorney

PENDLETON HOUSE OF LOVE, MEMPHIS

This twenty-two (22) bed residential home for the aged (RHA) is seeking to place their license on inactive status as of October 1, 2017 while a decision is being made on rather or not to continue to remain a RHA.

REPRESENTATIVE(S): MacAuther Sharkey, Administrator

NASHVILLE SURGERY CENTER, NASHVILLE

This ASTC facility is requesting an extension waiver for their license to remain on inactive status for additional eighteen (18) months. This ASTC was acquired by HCA affiliate in September 2015 and the former owner had already suspended operations. Following the acquisition the current owner has evaluated options for future operations of the ASTC with the intent to find a solution that will best serve the needs of patients and physicians. The owner plan to renovate and update the facility, and new architectural designs and constructions plans have been developed for this project. Minority ownership of the ASTC (up to 49%) will be syndicated to local surgeons with the majority interest (at least 51%) being retained by the HCA affiliate. In order to bring and improved this facility with hospital and physician ownership an extension is needed. Nashville Surgery Center was granted inactive status on September 18, 2015 which expires on September 2017.

REPRESENTATIVE(S): Jerry W. Taylor, Attorney

COPPER BASIN MEDICAL CENTER, COPPERHILL

This twenty-five (25) hospital bed facility is seeking to place their license on inactive status as of October 1, 2017. Their request is due to the severe financial condition of Copper Basin Medical Center. Copper Basin Medical Center is pursuing a new basic business model effective October 1, 2017 which is the following: Clinic-Urgent Care, Walk-in, 7-Doc in Box etc.); Outpatient Diagnostic Treatment Center; and Ambulatory Surgery Treatment Center. Copper Basin Medical Center is applying for the necessary CONs for the Outpatient Diagnostic Treatment Center and the Ambulatory Surgery Treatment Center with HSDA.

REPRESENTATIVE(S): Dan Johnson, CEO and Tim Henry, CFO

SENIOR SAINTS' HOME, CHATTANOOGA

This Residential Home for the Aged (RHA) facility is requesting an extension waiver for their license to remain on inactive status for an additional twelve (12) months. Senior Saints' Home is working to finalize their plans review process with the department. This facility was initially granted inactive status on September 7, 2016 which expires on October 2017.

REPRESENTATIVE(S): Kennedy N. Omanwa, Administrator

TENNOVA HEALTHCARE-PHYSICIANS REGIONAL MEDICAL CENTER, KNOXVILLE

This twenty-five (25) bed nursing home is requesting an extension waiver for their license to remain on inactive status pursuant to T.C.A. §68-11-206(b)(1) for a period of an additional one (1) year. This facility voluntarily suspended operations on October 23, 2016. Tennova HealthCare-Physicians Regional Medical Center continues to be inactive and non-operational. The hospital desires to continue to maintain the TCU's nursing home license on inactive status while it determines the most effective means to provide post-acute and long-term care services to patient and utilize the licensed nursing home. This facility was initially granted inactive status on September 7, 2016 which expires on October 2017.

REPRESENTATIVE(S): Chris Puri, Attorney

TRI-CITIES OUTPATIENT SURGERY, INC., JOHNSON CITY

This ASTC facility is requesting an extension waiver for their license to remain on inactive status. Tri-Cities Outpatient Surgery Center requested inactive status due to declining reimbursements and declining volume. This facility is not seeing patients and has closed their doors as of August 4, 2015. Their plans are to use the ASTC space as part of their clinic. This facility was placed on inactive status on September 17, 2015 for two (2) years which expires October 2017.

REPRESENTATIVE(S): Brenda Stufflestreet, Administrator

7. WAIVER REQUESTS.

A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(1) FOR A TENNESSEE LICENSED NURSING HOME ADMINISTRATOR UNTIL A PERMANENT REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE.

- (1) Lauderdale Community Living Center, Ripley
– Chasity P. Doss, Interim Administrator
- (2) Quince Nursing and Rehabilitation Center, LLC, Memphis
– Jennice Crowell, Interim Administrator
- (3) Pickett Care and Rehabilitation Center, Byrdstown
– Daniel Amodio, Interim Administrator
- (4) Hardin County Nursing Home, Savannah
– Nicholas Lewis, Interim Administrator
- (5) Signature Healthcare at Saint Francis, Memphis
– Jeffrey Stidam, Interim Administrator
- (6) Little Creek Sanitarium, Knoxville
– Paul Eirich, Manager
- (7) Claiborne Health and Rehabilitation Center, Tazewell
– Patricia Kettermann, President/Chief Administrative Officer
- (8) Kindred Nursing and Rehabilitation-Loudon, Loudon
– Thomas Tackett, Interim Administrator
- (9) Kindred Nursing and Rehabilitation-Smith County, Carthage
(Extension waiver)
– Rachael Asermily, Interim Administrator
- (10) Signature Healthcare at Methodist, Memphis (Extension Waiver)
– Thomas Charles Isaak, Jr., Interim Administrator
- (11) Diversicare of Smyrna, Smyrna
– Juanita Honeycutt, Regional Vice President

B. OTHER WAIVER REQUEST(S)

**NATIONAL BIOLOGICAL CORPORATION, NOLENSVILLE AND
THE RICHMOND LIGHT COMPANY, NOLENSVILLE**

National Biological Corporation and Richmond Biological Corporation both are home medical equipment facilities are seeking to waive the following Home Medical Equipment Rules: 1200-08-29-.04(7)-(8) and 1200-08-29-.06(5)(c)-Physical Location; 1200-08-29-.04(9) – Charity Care Statement; 1200-08-29-.06(2) – Infection Control; 1200-08-29-.06(4)(a),(f), 1200-08-29-.06(4)(b), 1200-08-29-.06(6)(c)-Equipment Management; 1200-08-29-10-Infectious and Hazardous Waste; and 1200-08-29-11-Records and Reports. Both businesses are based in Ohio and have applied for licensure in Tennessee. This item was heard at the July 25, 2017 PI Standing Committee.

REPRESENTATIVE(S): Chris Puri, Attorney and Michael Kaufman

PARKWEST PLASTIC SURGERY, LLC, KNOXVILLE

The facility is seeking the ambulatory surgical treatment center definition of Rule 1200-08-10-.01(7)(b). This item was heard at the July 25, 2017 and September 14, 2017 PI Standing Committee.

REPRESENTATIVE(S): Patti Cotton and Dr. Steven J. Smith

TRISTAR HENDERSONVILLE MEDICAL CENTER, HENDERSONVILLE

Tristar Hendersonville Medical Center, one hundred twenty-three (123) acute beds is requesting to increase their general acute beds count by eleven (11) beds which will be a total of one hundred thirty-five (134) beds. This request is being made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

REPRESENTATIVE(S): Jerry Taylor, Attorney

**SHANNONDALE HEALTH CARE CENTER, KNOXVILLE AND
WELLPARK AT SHANNONDALE, KNOXVILLE**

Shannondale Presbyterian Homes of Tennessee, Inc., is requesting for their administrator Mr. Keith Lee Boyce to serve as administrator for Shannondale Health Care Center and WellPark at Shannondale which both facilities are nursing homes.

REPRESENTATIVE(S): Keith L. Boyce, Interim Administrator

WOODRIDGE PSYCHIATRIC HOSPITAL, JOHNSON CITY

This eighty-four (84) bed psychiatric hospital is requesting to increase their adult/geriatric psychiatry by seven (7) and one (1) for child/adolescent psychiatry. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g). These proposed beds will be located on the Woodridge Psychiatric Hospital which is part of Johnson City Medical Center's campus.

REPRESENTATIVE(S): Dan Elrod, Attorney

8. DISCUSSION(S).

A. Propose Meeting Dates for Year 2018.

B. BIG SOUTH FORK MEDICAL CENTER, ONEIDA

This facility waiver request of the 2010 Guidelines for Design and Construction of Health Care Facilities (FGI) 2.2-3.1.3.6(9) Emergency Department requirement to have a decontamination room from the June 7, 2017 Board meeting was moved by the full board to the next Board meeting of October 4, 2017. Big South Fork Medical Center has been requested by the Board to provide more information and present for further review.

REPRESENTATIVE(S): Tony Taylor, CEO

C. MILAN HEALTH CARE CENTER, MILAN

This sixty-six (66) bed nursing home facility due to financial and operational issues had been granted inactive status and had suspended operations at the time the facility was acquired by Christian Care Center of Milan, LLC (CCCM). Christian Care Center of Milan, LLC was not aware of the outstanding deficiencies and suspension of admission (SOA) at the time the facility was acquired. When CCCM learned there were unpaid civil monetary penalties, it immediately paid those, as well as the license renewal fee, the latter of which was effective on or about September 16, 2017. The new operator is requesting the Board to consider deeming the outstanding deficiencies corrected and the Suspension of Admission lifted from the license.

REPRESENTATIVE(S): Jerry Taylor, Attorney

9. APPROVAL OF MINUTES.

A. June 7, 2017 – Board Meeting

B. December 12, 2016 – Performance Improvement Issue Standing Committee Meeting

C. July 25, 2017 – Performance Improvement Issue Standing Committee Meeting

D. September 14, 2017 – Performance Improvement Issue Standing Committee Meeting

10. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND INITIALS).

A. CONSIDERATION.

(CHOWS)

Family Ministries John M. Reed Center, LLC, Limestone-Nursing Home

Family Ministries John M. Reed Center, LLC, Limestone-ACLF

B. RATIFICATION.

1. QUALIFYING APPLICATIONS

(INITIALS)

(a) Assisted Care Living Facility

Bailey Manor, Cookeville
Dominion Senior Living of Athens, Athens
Somerby of Franklin, Franklin
The Pavilion Assisted Living, Lebanon

(b) End Stage Renal Disease Facility

Airways Dialysis, Memphis
Dialysis Care Center Crossville, Crossville
Fort Campbell Dialysis, Clarksville

(c) Home Health Services

AxelaCare Health Solutions, LLC, Memphis

(d) Home Medical Equipment Facility

Home Caregivers of Cookeville, LLC, Cookeville
MobilityWorks, Chattanooga
Reliance Mobility, LLC, Columbia

(e) Hospitals

Spire Rehabilitation Hospital, in Partnership w/HealthSouth, Jackson

(f) Nursing Homes

Christian Care Center of Bristol, Bristol

(g) Professional Support Services

Livitup, Inc., Memphis

(h) Residential Hospice

The Residence at Alive Hospice, Inc.-Murfreesboro, Murfreesboro

2. (CHOWS)

(a) Ambulatory Surgical Treatment Center Facility

Union City Surgery Center, Union City

(b) Assisted Care Living Facility

Rockgate Assisted Living Facility, LLC, Cowan

(c) End Stage Renal Dialysis Clinics

Fresenius Kidney Care Columbia Tennessee, Columbia

(d) Home Medical Equipment Facility

Gray Pharmacy, Gray
Professional Health Services, LLC, Winchester

11. LICENSE STATUS UPDATES.

COPPER BASIN MEDICAL CENTER, COPPERHILL

Copper Basin Medical Center, Copperhill, have resume to provide inpatient services effective on July 20, 2017. They will have staff and have available a minimum of two (2) beds and will add more beds as needed. Copper Basin Medical Center came before the June 7, 2017 board meeting to seek options to continue to serve the surrounding community because they had temporarily suspended their inpatient services as of May 8, 2017.

BIG SOUTH FORK MEDICAL CENTER, ONEIDA

Big South Fork Medical Center, Oneida has reactivate their license to active status effective August 9, 2017 due to an approved full site survey of life safety and health standards and the approval by the Board.

SMOKIE MOUNTAIN DIALYSIS CENTER, SEVIERVILLE

Smokie Mountain Dialysis Center, Sevierville has notified the department that renovations are needed to the facility due to minor water damage. The facility closed on August 9, 2017. The facility has 42 Peritoneal Dialysis patients who will be receiving services at the Medical Directors' Office located at 107 Woodlawn Drive, Suite 200, Johnson City during the temporary closure. The facility plans to begin repairs on August 11, 2017; and expect all repairs to be completed within one (1) week.

ELDEREED HEALTH AND REHAB, LIMESTONE AND ELDEREED HAUS ASSISTED LIVING CENTER, LIMESTONE

Eldereed Health and Rehab and Eldereed Haus Assisted Living Center have notified the department to reactive their licenses to active status. Both facilities have submitted a Change of Ownership application and closing documentation was provided to support the request. Eldereed Haus Assisted Living Center was place on active status on August 28, 2017. Eldereed Health and Rehab was place on active status on September 5, 2017.

UNION CITY SURGERY CENTER (UCSC, LLC.), UNION CITY

Union City Surgery Center has notified the department to reactive their license from inactive to active effective June 8, 2017. This ambulatory surgical treatment center placed their license on inactive on February 8, 2017 for one year.

***FACILITY CLOSURES**

See attachment.

12. BOARD POLICY CONSENTS.

- A. THE FOLLOWING NURSING HOMES ARE REQUESTING A WAIVER TO PROVIDE OUTPATIENT THERAPY SERVICES AS PROVIDED FOR BY BOARD POLICY #32:**

Humphreys County Nursing Home, Waverly
Lakeshore Heartland, Nashville
Quality Center for Rehabilitation and Healing, Lebanon

13. REGULATION(S).

- A. BOARD APPROVAL FOR RULEMAKING HEARING.**

- B. PROPOSED RULE LANGUAGE**

14. ORDERS.

- A. Consent Orders.**

15. OTHER BUSINESS.

- A. OHCF P&P 240 – Facility Plans of Correction (POC)**